

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
INSURANCE COMPANY

Plaintiff,

vs

DORMITORY AUTHORITY - STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN,
PEDERSON, FOX & ASSOCIATES, P.C.,

Defendants.

-----X
DORMITORY AUTHORITY OF THE STATE OF
NEW YORK AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiff,

vs

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendants,

-----X
TRATAROS CONSTRUCTION, INC. and
TRAVELERS CASUALTY AND SURETY
COMPANY,

Fourth-Party Plaintiffs,

vs

CAROLINA CASUALTY INSURANCE COMPANY,
BARTEC INDUSTRIES INC., DAYTON SUPERIOR
SPECIALTY CHEMICAL CORP., a/k/a DAYTON
SUPERIOR CORPORATION, SPECIALTY
CONSTRUCTION BRANDS, INC. t/a TEC, KEMPER
CASUALTY INSURANCE COMPANY d/b/a
KEMPER INSURANCE COMPANY, GREAT
AMERICAN INSURANCE COMPANY, NATIONAL
UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, P.A., UNITED STATES FIRE
INSURANCE COMPANY, ALLIED WORLD
ASSURANCE COMPANY (U.S) INC. f/k/a
COMMERCIAL UNDERWRITERS INSURANCE

Case No. 07-CV-6915 (DLC)
ECF CASE

**NOTICE OF
APPEARANCE**

COMPANY, ZURICH AMERICAN INSURANCE
COMPANY d/b/a ZURICH INSURANCE COMPANY,
OHIO CASUALTY INSURANCE COMPANY d/b/a
OHIO CASUALTY GROUP, HARLEYSVILLE
MUTUAL INSURANCE COMPANY (a/k/a
HARLEYSVILLE INSURANCE COMPANY, JOHN
DOES 1-20, and XYZ CORPS. 1-20,

Fourth-Party Defendants,

X

SIRS:

PLEASE TAKE NOTICE, that the defendant, BARTEC INDUSTRIES INC., hereby appears in the above-entitled action, and that the undersigned have been retained as attorneys for said defendant and demand that a copy of the Complaint and all papers in this action be served upon the undersigned at the office and post office address stated below.

DATED: March 3, 2008
White Plains, New York

Yours, etc.

O'CONNOR & REDD, LLP

By: 

JEREMY D. PLATEK
Attorneys for Defendant
BARTEC INDUSTRIES INC.
200 Mamaroneck Avenue
White Plains, New York 10601
(914) 686-1700
Jplatek@oconnorlawfirm.com

TO: SEE ATTACHED SERVICE LIST

Travelers Casualty and Surety Co. V. Dormitory Authority - State of N.Y., et al.
United States District Court, Southern District of New York
Civil Action No.: 07-CV-6915

SERVICE LIST

TO: JoAnne M. Bonacci, Esq.
DREIFUSS BONACCI & PARKER, LLP.
Attorneys for Fourth-Party Plaintiffs,
*TRATAROS CONSTRUCTION, INC AND TRAVELERS
CASUALTY AND SURETY COMPANY*
26 Columbia Turnpike
North Entrance
Florham Park, NJ 07932
Tel: (973) 514-1414
Fax: (973) 514-5959
email: jbonacci@dbplawfirm.com

David Abramovitz, Esq,
ZETLIN & DECHIARA, LLP
Attorneys for Defendants/Third-Party Plaintiff,
KOHN, PEDERSON, FOX & ASSOCIATES, P.C
801 Second Avenue
New York, NY 10017
Tel: (212) 682-6800
Fax: (212) 682-6861
email: dabramovitz@zdlaw.com

Robert R. Rigolosi
SEGAL McCAMBRIDGE SINGER & MAHONEY
Attorneys for Fourth-Party Defendant
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC
830 Third Ave, Suite 400
NY, NY 10022
Tel: (212) 651-7500/(212) 651-7423
Fax: (212) 651-7499
email: rrigolosi@smsm.com

Robert Mark Wasko, Esq.
TORRE, LENTZ, GAMMELL, GARY & RITTMASER, LLP
Attorneys for Fourth-Party Defendant
CAROLINA CASUALTY INSURANCE COMPANY
226 West 26th Street, 8th Floor
New York, New York 10001-6785

Tel: (516) 240-8900
Fax: (212) 691-6452
Email: rwasko@tlggr.com

William Kelly, Esq.

GOLDBERG SEGALL, LLP.

Attorneys for Fourth-Party Defendant
DAYTON SUPERIOR SPECIALTY CHEMICAL CORP.
a/k/a DAYTON SUPERIOR CORP.
170 Hamilton Avenue, Suite 203
White Plains, New York 10601
Tel: (914) 798-5400
Fax: (914) 798-5401
email: wkelly@goldbergsegalla.com

STEVEN A. COPLOFF, ESQ.

STEINBERG & CAVALIERE, LLP

50 Main Street, Suite 901
White Plains, NY 10606
Tel: (914) 761-4200
Fax: (914) 761-4256
Email: steincav@aol.com

and

George J. Manos, Esq.

David N. Larson, Esq.

BOLLINGER, RUBERRY & GARVEY

Attorneys for Fourth-Party Defendant
KEMPER CASUALTY INSURANCE
d/b/a KEMPER INSURANCE COMPANY
500 West Madison, Suite 2300
Chicago, IL 60661
Tel: (312) 466-8000
Fax (312) 466-8001

Henry G. Morgan, Esq..

**MORGAN, MELHUISE, MONAGHAN,
ARVIDSON, ABRUTYN & LISOWSKI**

Attorneys for Fourth-Party Defendant
OHIO CASUALTY INSURANCE COMPANY
651 West Mt. Pleasant Avenue, Suite 200
Livingston, NJ 07039
Tel: (973) 994-2500
Fax (973) 994-3375
email: counsel@morganlawfirm.com

Donald G. Sweetman, Esq.

GENNET, KALLMANN, ANTIN & ROBINSON, P.C.

Attorney for Fourth-Party Defendants

*GREAT AMERICAN INSURANCE COMPANY,
AMERICAN ALLIANCE INSURANCE COMPANY,
AMERICAN NATIONAL FIRE INSURANCE COMPANY
and GREAT AMERICAN INSURANCE COMPANY OF
NEW YORK*

6 Campus Drive

Parsippany, NJ 07054

Tel: (973) 285-1919

Fax: (973) 285-1177

Email: dsweetman@gkar-law.com

John P. DeFilippis, Esq.

CARROLL, MCNULTY & KULL

Attorney for Fourth-Party Defendant

UNITED STATE FIRE INSURANCE COMPANY

570 Lexington Avenue, 10th Floor

New York, NY 10022

Tel: (212) 252-0004

Fax: (212) 252-0444

email: jdefilippis@cmk.com

S. DWIGHT STEPHENS, ESQ.

MELITO & ADOLFSSEN, P.C.

Attorneys for Fourth-Party Defendant

ZURICH AMERICAN INSURANCE COMPANY

233 Broadway

New York, NY 10279

Tel: (212) 238-8900

Fax: (212) 238-8999

Email: sds@melitoadolfssen.com

MARTIN PAUL LAVELLE, ESQ.,

GREEN & LAVELLE

Attorneys for Fourth-Party Defendant,

NATIONAL UNION FIRE INSURANCE

COMPANY OF PITTSBURGH, PA

110 William Street

New York, NY 10038

Tel: (212) 266-5880/5881

Fax: (212) 528-0134

Email: martin.lavelle@aig.com

Diana E. Goldberg, Esq.

MOUND COTTON WOLLAN & GREENGRASS

Attorneys for Fourth-Party Defendant
*COMMERCIAL UNDERWRITERS INSURANCE
COMPANY and ALLIED WORLD ASSURANCE
COMPANY (U.S.) INC.*

One Battery Park Plaza, 9th Floor
New York, NY 10004-1486
Tel: (212) 804-4200
Fax: (212) 344-8066
Email: dgoldberg@moundcotton.com

Timothy B. Froessell, Esq.

HOLLAND & KNIGHT, LLP

Attorneys for Defendants/Third-Party Plaintiffs,
*DORMITORY AUTHORITY - STATE OF NEW YORK
and TDX CONSTRUCTION CORP.*

195 Broadway
New York, NY 10007
Tel: (212) 513-3484
Fax: (212) 385-9010
email: tbfroess@hklaw.com

Tricia Wishert, Esq.

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI, LLP

Attorneys for Fourth-Party Defendant,
*HARLEYSVILLE MUTUAL INSURANCE COMPANY
(a/k/a HARLEYSVILLE INSURANCE COMPANY)*

Headquarters Plaza
One Speedwell Avenue
Morristown, New Jersey 07960
Tel: 973-451-3862
Fax: 973-451-3714
email: twishert@riker.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRAVELERS CASUALTY AND SURETY
COMPANY as Administrator for RELIANCE
INSURANCE COMPANY

Plaintiff,

vs.

DORMITORY AUTHORITY - STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN,
PEDERSON, FOX & ASSOCIATES, P.C.,

Defendants.

-----X
DORMITORY AUTHORITY OF THE STATE OF
NEW YORK AND TDX CONSTRUCTION CORP.,

Third-Party Plaintiff,

vs

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendants,

-----X
TRATAROS CONSTRUCTION, INC. and
TRAVELERS CASUALTY AND SURETY
COMPANY,

Fourth-Party Plaintiffs,

vs

CAROLINA CASUALTY INSURANCE COMPANY,
BARTEC INDUSTRIES INC., DAYTON SUPERIOR
SPECIALTY CHEMICAL CORP., a/k/a DAYTON
SUPERIOR CORPORATION, SPECIALTY
CONSTRUCTION BRANDS, INC. t/a TEC, KEMPER
CASUALTY INSURANCE COMPANY d/b/a
KEMPER INSURANCE COMPANY, GREAT
AMERICAN INSURANCE COMPANY, NATIONAL
UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, P.A., UNITED STATES FIRE
INSURANCE COMPANY, ALLIED WORLD
ASSURANCE COMPANY (U.S) INC. f/k/a
COMMERCIAL UNDERWRITERS INSURANCE

Case No. 07-CV-6915 (DLC)
ECF CASE

**AFFIDAVIT OF
SERVICE**

COMPANY, ZURICH AMERICAN INSURANCE
COMPANY d/b/a ZURICH INSURANCE COMPANY,
OHIO CASUALTY INSURANCE COMPANY d/b/a
OHIO CASUALTY GROUP, HARLEYSVILLE
MUTUAL INSURANCE COMPANY (a/k/a
HARLEYSVILLE INSURANCE COMPANY, JOHN
DOES 1-20, and XYZ CORPS. 1-20,

Fourth-Party Defendants,

X

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

CODY MARDER, being duly sworn, deposes and says that she is over the age of 18 years, that she is not a party to the above-entitled action, and that on **March 3, 2008**, she served the within **NOTICE OF APPEARANCE FOR DEFENDANT, BARTEC INDUSTRIES INC.**, upon the following attorney(s), in the following place(s) and in the following manner:

TO: **SEE ATTACHED SERVICE LIST**

by depositing a copy of same properly enclosed in a post-paid wrapper in the Official Depository maintained and exclusively controlled by the United States, directed to said attorney(s), respectively, at said address(es) within the State designated for that purpose upon the last papers served in this action or the place where the above then kept offices, according to the best information which can be conveniently obtained.


CODY MARDER

Sworn to before me
March 3, 2008


NOTARY PUBLIC

PATRICIA A. D'ATILIO
Notary Public, State of New York
No. 01DA5055817
Qualified in Westchester County
Commission Expires February 20, 2010

Travelers Casualty and Surety Co. V. Dormitory Authority - State of N.Y., et al.
United States District Court, Southern District of New York
Civil Action No.: 07-CV-6915

SERVICE LIST

TO: JoAnne M. Bonacci, Esq.
DREIFUSS BONACCI & PARKER, LLP.
Attorneys for Fourth-Party Plaintiffs,
*TRATAROS CONSTRUCTION, INC AND TRAVELERS
CASUALTY AND SURETY COMPANY*
26 Columbia Turnpike
North Entrance
Florham Park, NJ 07932
Tel: (973) 514-1414
Fax: (973) 514-5959
email: jbonacci@dbplawfirm.com

David Abramovitz, Esq,
ZETLIN & DECHIARA, LLP
Attorneys for Defendants/Third-Party Plaintiff,
KOHN, PEDERSON, FOX & ASSOCIATES, P.C
801 Second Avenue
New York, NY 10017
Tel: (212) 682-6800
Fax: (212) 682-6861
email: dabramovitz@zdlaw.com

Robert R. Rigolosi
SEGAL McCAMBRIDGE SINGER & MAHONEY
Attorneys for Fourth-Party Defendant
SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC
830 Third Ave, Suite 400
NY, NY 10022
Tel: (212) 651-7500/(212) 651-7423
Fax: (212) 651-7499
email: rrigolosi@smsm.com

Robert Mark Wasko, Esq.
TORRE, LENTZ, GAMMELL, GARY & RITTMASER, LLP
Attorneys for Fourth-Party Defendant
CAROLINA CASUALTY INSURANCE COMPANY
226 West 26th Street, 8th Floor
New York, New York 10001-6785

Tel: (516) 240-8900
Fax: (212) 691-6452
Email: rwasko@tlggr.com

William Kelly, Esq.
GOLDBERG SEGALL, LLP.
Attorneys for Fourth-Party Defendant
DAYTON SUPERIOR SPECIALTY CHEMICAL CORP.
a/k/a DAYTON SUPERIOR CORP.
170 Hamilton Avenue, Suite 203
White Plains, New York 10601
Tel: (914) 798-5400
Fax: (914) 798-5401
email: wkelly@goldbergsegalla.com

STEVEN A. COPLOFF, ESQ.
STEINBERG & CAVALIERE, LLP
50 Main Street, Suite 901
White Plains, NY 10606
Tel: (914) 761-4200
Fax: (914) 761-4256
Email: steincav@aol.com

and

George J. Manos, Esq.
David N. Larson, Esq.
BOLLINGER, RUBERRY & GARVEY
Attorneys for Fourth-Party Defendant
KEMPER CASUALTY INSURANCE
d/b/a KEMPER INSURANCE COMPANY
500 West Madison, Suite 2300
Chicago, IL 60661
Tel: (312) 466-8000
Fax (312) 466-8001

Henry G. Morgan, Esq..
**MORGAN, MELHUISE, MONAGHAN,
ARVIDSON, ABRUTYN & LISOWSKI**
Attorneys for Fourth-Party Defendant
OHIO CASUALTY INSURANCE COMPANY
651 West Mt. Pleasant Avenue, Suite 200
Livingston, NJ 07039
Tel: (973) 994-2500
Fax (973) 994-3375
email: counsel@morganlawfirm.com

Donald G. Sweetman, Esq.

GENNET, KALLMANN, ANTIN & ROBINSON, P.C.

Attorney for Fourth-Party Defendants

*GREAT AMERICAN INSURANCE COMPANY,
AMERICAN ALLIANCE INSURANCE COMPANY,
AMERICAN NATIONAL FIRE INSURANCE COMPANY
and GREAT AMERICAN INSURANCE COMPANY OF
NEW YORK*

6 Campus Drive

Parsippany, NJ 07054

Tel: (973) 285-1919

Fax: (973) 285-1177

Email: dsweetman@gkar-law.com

John P. DeFilippis, Esq.

CARROLL, MCNULTY & KULL

Attorney for Fourth-Party Defendant

UNITED STATE FIRE INSURANCE COMPANY

570 Lexington Avenue, 10th Floor

New York, NY 10022

Tel: (212) 252-0004

Fax: (212) 252-0444

email: jdefilippis@cmk.com

S. DWIGHT STEPHENS, ESQ.

MELITO & ADOLFSSEN, P.C.

Attorneys for Fourth-Party Defendant

ZURICH AMERICAN INSURANCE COMPANY

233 Broadway

New York, NY 10279

Tel: (212) 238-8900

Fax: (212) 238-8999

Email: sds@melitoadolfssen.com

MARTIN PAUL LAVELLE, ESQ.,

GREEN & LAVELLE

Attorneys for Fourth-Party Defendant,

*NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA*

110 William Street

New York, NY 10038

Tel: (212) 266-5880/5881

Fax: (212) 528-0134

Email: martin.lavelle@aig.com

Diana E. Goldberg, Esq.

MOUND COTTON WOLLAN & GREENGRASS

Attorneys for Fourth-Party Defendant
*COMMERCIAL UNDERWRITERS INSURANCE
COMPANY and ALLIED WORLD ASSURANCE
COMPANY (U.S.) INC.*

One Battery Park Plaza, 9th Floor
New York, NY 10004-1486
Tel: (212) 804-4200
Fax: (212) 344-8066
Email: dgoldberg@moundcotton.com

Timothy B. Froessell, Esq.
HOLLAND & KNIGHT, LLP
Attorneys for Defendants/Third-Party Plaintiffs,
*DORMITORY AUTHORITY - STATE OF NEW YORK
and TDX CONSTRUCTION CORP.*

195 Broadway
New York, NY 10007
Tel: (212) 513-3484
Fax: (212) 385-9010
email: tbfroess@hklaw.com

Tricia Wishert, Esq.
RIKER, DANZIG, SCHERER, HYLAND & PERRETTI, LLP
Attorneys for Fourth-Party Defendant,
*HARLEYSVILLE MUTUAL INSURANCE COMPANY
(a/k/a HARLEYSVILLE INSURANCE COMPANY)*
Headquarters Plaza
One Speedwell Avenue
Morristown, New Jersey 07960
Tel: 973-451-3862
Fax: 973-451-3714
email: twishert@riker.com